



**VILLAGE OF EVENDALE
ADOPTED ORDINANCES AND RESOLUTIONS**

The following ordinances and resolutions were adopted by the Council of the Village of Evendale at its Regular Council Meeting on August 8th, 2017.

ORDINANCE # 17-63

ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF EVENDALE TO EXECUTE AN ELECTRIC SERVICE AGREEMENT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. # 17-55

ORDINANCE AUTHORIZING THE MAYOR TO HIRE PART-TIME EMPLOYEES FOR THE RECREATION CENTER AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-56

AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION FROM THE LAW ENFORCEMENT TRUST FUND TO PAY THE HAMILTON COUNTY PROSECUTOR'S OFFICE THEIR SHARE OF MONEY FORFEITURE.

ORD. #17-57

AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF FUNDS AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-58

ORDINANCE APPROVING A TRANSFER WITHIN THE CAPITAL FUND TO APPROPRIATE FUNDS FOR THE VETERANS MEMORIAL AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-59

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RECREATION CENTER INTERIOR RENOVATIONS PROJECT AND DECLARING AN EMERGENCY. Unanimously approved

ORD. #17-60

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE READING ROAD IMPROVEMENTS AND DECLARING AN EMERGENCY. Unanimously approved

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ORD. #17-61

ORDINANCE AUTHORIZING MAYOR TO PURCHASE FROM THE STATE OF OHIO PROCUREMENT PROGRAM FOR THE ADMINISTRATION BUILDING CHILLER SYSTEM REPLACEMENT, AND DECLARING AN EMERGENCY.

Unanimously approved

ORD. #17-64

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE AEROHUB SITE DEMOLITION PROJECT AND DECLARING AN EMERGENCY. Unanimously approved

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 17-55**

**ORDINANCE AUTHORIZING THE MAYOR TO HIRE
PART-TIME EMPLOYEES FOR THE RECREATION
CENTER AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Evendale has enacted Chapter 260 of the Codified Ordinances of the Village of Evendale, requiring authorization by Council for the Mayor to hire a part-time employees; and,

WHEREAS, the Mayor has recommended the hiring of Miranda Mosso for Childcare Attendant and Zachary Eldridge for Building Attendant for Recreation Department; and,

WHEREAS, the Mayor and the administration has fully complied with Section 260.06(a) of the Codified Ordinances of the Village of Evendale; now

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1: The following persons may be employed, effective August 8, 2017 by the Mayor of the Village of Evendale Recreation Department at an hourly rate established below:

Miranda Mosso	Childcare Attendant	Hourly Pay	\$8.71
Zachary Eldridge	Building Attendant	Hourly Pay	\$9.43

SECTION 2: This ordinance is hereby declared to be an emergency measure by a concurrence of six members of the Village Council. The reason for said emergency is to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operations of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect in order to ensure that the Village Recreational Department has the staffing necessary to provide for and to perform its critical functions to the Village and its citizens. Therefore, this ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-56**

**AN ORDINANCE APPROVING AN ADDITIONAL APPROPRIATION
FROM THE LAW ENFORCEMENT TRUST FUND TO PAY THE
HAMILTON COUNTY PROSECUTOR'S OFFICE THEIR SHARE OF
MONEY FORFEITURE.**

- WHEREAS,** Pursuant to legislation properly adopted by the Council of the Village of Evendale, certain expenditures will take place that need to be appropriately reflected as appropriations; and
- WHEREAS,** The Village of Evendale has been awarded \$3,219.67 in forfeited U.S. Currency pursuant to Revenue Code 2981.06: and
- WHEREAS,** The Village of Evendale has returned \$75 to identified victims: and
- WHEREAS,** Under this order the Hamilton County Prosecutor's office share of the forfeiture is \$643.93. The remaining funds stay deposited in the Law Enforcement Trust Fund; and

NOW THEREFORE; BE IT ORDAINED by the Council of the Village of Evendale, State of Ohio, five members concurring that:

SECTION I The following sums are appropriated from the unappropriated Law Enforcement Trust Fund (208) to the following objects:

230-239 Contract Services	\$643.93
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SECTION II This ordinance shall take effect and be in force from the earliest date allowed by law.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-57**

**AN ORDINANCE AUTHORIZING THE PAYMENT OF AMOUNTS DUE UPON
CERTAIN CONTRACTS REQUIRING CERTIFICATION OF AVAILABILITY OF
FUNDS AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code 5705.41(D)(1) provides that where contracts have not been previously certified for sufficient funds being available, Village Council may authorize the drawing of warrants to pay such contracts upon receipt of a certificate from the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances, and

WHEREAS, Certain contracts enumerated below are now due and payable for which such a certificate has been provided by the Chief Fiscal and Accounting Officer;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION I The Council of the Village of Evendale hereby approves and authorizes the payment of the following contracts for which the Chief Fiscal and Accounting Officer has provided a certificate that a sufficient sum has been appropriated for the purpose of each contract and is in the treasury or in the process of collection to the credit of the appropriate fund free from any previous encumbrances:

- 1) GHF/Bud Herbert - \$7,339.96 – new Gator
- 2) Vogelpohl - \$4,996.33 – Firefighter Turnout Gear
- 3) Richards Electric - \$8,760.00 – CAC parking lot lights

SECTION II This Ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public peace, order, safety, health and welfare of the Village or to provide for the daily operation of a department or office of the Village. The reason for said emergency is the need to approve this ordinance in the time required by the Ohio Revised Code and to ensure prompt payment to vendors. Therefore, this Ordinance shall be effective upon adoption.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-58**

**ORDINANCE APPROVING A TRANSFER WITHIN THE CAPITAL
FUND TO APPROPRIATE FUNDS FOR THE VETERANS MEMORIAL
AND DECLARING AN EMERGENCY.**

- WHEREAS,** Pursuant to legislation properly adopted by the Council of the Village of Evendale certain expenditures will take place that need to be appropriately reflected as appropriations; and
- WHEREAS,** The Village needs to acquire additional pavers and plaques purchased by residents for inscription and make some repairs to the memorial; and
- WHEREAS,** The funds are available within the Capital Fund that can be transferred to the appropriate line item; and
- WHEREAS,** The Village requires funding be available for these purchases; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1 The following sum is transferred within the 400 Capital Fund:

From:

400.201.525525 New Service Building \$15,000

To:

400.701.525300 Veterans Memorial \$15,000

SECTION 2 This ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale or to provide for the daily operations of a department or office of the Village of Evendale. It is necessary that this measure be put into effect immediately because the public welfare and daily operations of the Village require that line items within fund budgets not exceed the appropriation amounts approved by Council and it is in the public interest to pay Village expenses in a timely manner. Acquisition of resident requested pavers and plaques as well as repairs to the tower are in the best interest of the Village and should be completed as soon as possible. This ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-59**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO
CONTRACT WITH THE LOWEST AND BEST BIDDER FOR
THE RECREATION CENTER INTERIOR RENOVATIONS
PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, The Village of Evendale has received bids for the Interior Renovations of the Evendale Recreation Center Project after advertising in a newspaper of general circulation in the Village of Evendale for the proscribed two weeks; and

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring, that:

SECTION 1: The bid of Overberg Construction, Inc. for Interior Renovations of the Evendale Recreation Center Project in the amount of \$89,542.00 is hereby accepted as the lowest and best bid. The Mayor is authorized to enter into a contract with Overberg Construction, Inc. for this project.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of six members of Council, it being found to be necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect because the public welfare requires the contract for the Project be executed as soon as possible in order to perform the work with the time limits proscribed by the contract in order to continue with fall programming. This ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-60**

**ORDINANCE AUTHORIZING THE MAYOR
TO EXECUTE A CONTRACT WITH THE
OHIO DEPARTMENT OF TRANSPORTATION
FOR THE READING ROAD IMPROVEMENTS
AND DECLARING AN EMERGENCY**

PID No. 101578
ODOT Project No. _____ (2017)

The following Final Ordinance is enacted by the Village of **Evendale**, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project.

WHEREAS, on the **13th day of October, 2015**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of repair and resurfacing of Reading Road (US 42) from Inwood Drive/Cunningham Drive to the north corporation line, lying within the Village of Evendale.

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of the Federal-Aid OKI funds aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the village agrees to assume and bear 100% of the cost of Preliminary Engineering and Right of Way, excluding in-house preliminary engineering and right of way charges by the State.

The share of the cost of the LPA is now estimated in the amount of **Four Hundred Ninety One Thousand Six Hundred Eighty and ---80/100 Dollars (\$491,680.80)**, but said estimated amount is to be adjusted in order that the LPA’s ultimate share of said improvements shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it ordained:

SECTION 1: That the estimated sum of of **Four Hundred Ninety One Thousand Six Hundred Eighty and ---80/100 Dollars (\$491,680.80)**, is currently

appropriated for the improvement described above and the **Mayor** is hereby authorized and directed to issue an order on the Chief Fiscal Officer for the said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

SECTION 2: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3: That the LPA enter into a contract with the State , and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 4: That the LPA transmit to the Director of Transportation a fully executed copy of this Ordinance.

SECTION 5: This ordinance is declared to be an emergency by a concurrence of six members of Council, being necessary to preserve the public, peace, order, safety, health or welfare of the Village of Evendale or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate so that the improvements can move forward as rapidly as possible for the safety of the motoring public. This ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

This is to certify that we have compared the foregoing copy of Ordinance with the original record thereof, found in the record of the proceedings of the LPA, and which Ordinance was duly passed by the LPA on the August 8th of 2017, and that the same is a true and correct copy of the record of said Ordinance and the action of said LPA thereon.

We further certify that said Ordinance and the action of said LPA thereon is recorded in the journal of said LPA in Volume_____, at Page _____, and under date of _____, 2017

Legislative Authority of the
Village of **Evendale**, Ohio

SEAL

Village Clerk

**VILLAGE OF EVENDALE, OHIO
ORDINANCE #17-61**

**ORDINANCE AUTHORIZING MAYOR TO ENTER INTO A
CONTRACT TO PURCHASE FROM THE STATE OF OHIO
PROCUREMENT PROGRAM FOR THE ADMINISTRATION
BUILDING CHILLER SYSTEM REPLACEMENT, AND
DECLARING AN EMERGENCY**

WHEREAS, the Village of Evendale participates in a joint purchasing plan operated by the State of Ohio; and

WHEREAS, the Charter of the Village of Evendale requires that each purchase exceeding ten thousand dollars (\$10,000.00) be approved by the Council of the Village of Evendale; and

WHEREAS, the Council of the Village of Evendale has determined that it is necessary and appropriate for the Village to acquire a Chiller HVAC unit for the Administration Building; now, therefore,

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, _____ members concurring, that:

SECTION 1: The Council of the Village of Evendale authorizes the material only purchase of a new 52 ton Air-Cooled Chiller meeting the specifications for the State of Ohio Purchasing Program from Trane for the Administration Building in the amount of \$44,326.00.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of _____ members of Council, it being found to be necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect because the public welfare requires the contract for the Chiller Replacement be executed as soon as possible in order to perform the work as weather permits. This ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

**VILLAGE OF EVENDALE, OHIO
ORDINANCE # 17-63**

**ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF EVENDALE TO
EXECUTE AN ELECTRIC SERVICE AGREEMENT AND DECLARING AN
EMERGENCY**

WHEREAS, The citizens of the Village of Evendale have authorized, by vote, the aggregation of electrical services in order to allow for residents and businesses in the Village to form a buying group with the intention of obtaining reduced electrical rates; and,

WHEREAS, Village of Evendale is currently contracted with Dynegy Energy Services (East), to provide electric supply to residential homes and qualifying small businesses at a fixed rate of 5.89 cents per kilowatt per hour.

WHEREAS, the current agreement expires at the end of December 2017; and,

WHEREAS, Energy Alliance, Evendale's Gas and Electric Aggregation Consultant, has obtained, through their internal competitive bidding process, a proposed new agreement offering a fixed electric rate lower than the current contract rate and lower than the projected "price to compare" rate offered by Duke Energy, the regional and current transmitter and default supplier of electric service; and,

WHEREAS, Evendale is desirous of entering into said agreement making the fixed rate effective January 2018 thru December 2020; now,

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF EVENDALE, STATE OF OHIO, six members concurring that:

SECTION 1: The Mayor of the Village of Evendale is hereby authorized to execute the Agreement substantially in the form of the Agreement attached hereto and incorporated by reference herein, which Agreement is hereby approved by the Council of the Village of Evendale.

SECTION 2: This ordinance is hereby declared to be an emergency measure by concurrence of six members of the Village Council. The reason for said emergency is to preserve the public peace, order, safety, health or welfare of the Village of Evendale and/or to provide for the daily operations of a department or office of the Village of Evendale. The reason for said emergency is to secure for the Village the benefits of stabilized electrical rates, the current offer expires at 11:59pm on 12/3/17, which would be lost without this measure being adopted as an emergency.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017

VILLAGE OF EVENDALE, OHIO

ORDINANCE #17-64

**ORDINANCE AUTHORIZING MAYOR TO ENTER
INTO CONTRACT WITH THE LOWEST AND BEST
BIDDER FOR THE AEROHUB SITE DEMOLITION
PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, The Village of Evendale has received bids for the AeroHub Site Demolition Project after advertising in a newspaper of general circulation in the Village of Evendale for the proscribed two weeks; and

WHEREAS, Logan Creek LLC is recommended by the Village Engineer and found by Council to be the lowest and best bidder.

**BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF
EVENDALE, STATE OF OHIO, six members concurring, that:**

SECTION 1: The bid of Logan Creek, LLC for AeroHub Site Demolition Project in the amount of \$123,200.00 is hereby accepted. The Mayor is authorized to enter into a contract with Logan Creek, LLC for this project.

SECTION 2: This ordinance is declared to be an emergency measure by a concurrence of six members of Council, it being found to be necessary to preserve the public peace, order, safety, health or welfare of the Village of Evendale, or to provide for the daily operation of a department or office of the Village of Evendale. It is necessary that this measure be put into immediate effect because the public welfare requires the contract for the Project be executed as soon as possible in order to perform the work as weather permits and to continue onto development of the parcels to be demolished. This ordinance shall be effective upon passage.

Approved August 8, 2017

Mayor, Village of Evendale

Attest:

Village Clerk

Approved as to Form:

Village Law Director

1st Reading: August 8, 2017

Rules Suspended: August 8, 2017

2nd and 3rd Reading: August 8, 2017

Emergency Section Agreed to: August 8, 2017

Notice of Publication: Tri-County Press, August 16, 2017